

In the matter of:

Reginald Rushin

Respondent

Case No. CO-07-022

## FINAL ORDER

This matter came before the City's Board of Ethics on August 23, 2007, following proper notice to the Respondent by first class mail. The hearing was held to determine if the Respondent violated sections 2-807 (a) and 2-814 of the Atlanta, Georgia, Code of Ordinances by failing to timely file the 2007 City Financial Disclosure Statement. After consideration of the record, the Board makes the following findings of fact and conclusions of law:

## FINDINGS OF FACT

1. The Respondent is a person required to file the 2007 City Financial Disclosure Statement.
2. The Respondent did not file the 2007 City Financial Disclosure Statement by the February 15, 2007, filing deadline.
3. The Ethics Office mailed the Respondent a warning letter on February 20, 2007, for failing to file the annual statement by the filing deadline.
4. On March 15, 2007, the Board of Ethics found the Respondent delinquent under section 2-814 (e) of the City's Code of Ethics, due to the failure to file the 2007 City Financial Disclosure Statement by March 1, the end of the filing grace period.
5. The Ethics Office mailed a notice of delinquency to the Respondent on March 23, 2007.
6. The Respondent did not file the 2007 City Financial Disclosure Statement until April 19, 2007.

7. The Respondent failed to pay the late filing penalty set by the Board for filing after March 1 or respond to subsequent delinquency notices and invoices mailed by the Ethics Office.

### **CONCLUSIONS OF LAW**

8. Neighborhood planning unit chairs and vice chairs are required to file an annual disclosure statement by February 15 of each year in which they serve the city and for the year after they leave their position. See Atlanta, Ga., Code § 2-814 (e). Any intentional violation of the Code of Ethics shall subject the violator to an administrative sanction of not more than \$1,000 and a public reprimand by the Board of Ethics. See Atlanta, Ga. Code § 207 (a).
9. The Respondent violated section 2-814 (e) of the City's Code of Ethics by failing to timely file the 2007 City Financial Disclosure Statement without reasonable cause.
10. The Respondent violated section 2-807 (a) by failing to pay the late filing penalty or respond to letters and invoices mailed by the Ethics Office.

Based on these findings and conclusions, the Board of Ethics concludes:

1. The Respondent is ordered to pay a late filing penalty of \$200 for the violation of section 2-814 and an administrative sanction of \$500 for the violation of section 2-807 (a);
2. The Board publicly reprimands the Respondent for failing to timely file the annual disclosure statement in 2007 and for intentionally refusing to pay the penalty owed for late filing.
3. The Board directs the Ethics Officer to forward a copy of this order to the City Solicitor for prosecution of the violations of the City's Code of Ethics in Municipal Court.

The Respondent has the right to appeal this order by seeking review by writ of certiorari in the Fulton County Superior Court. See Atlanta, Ga., Code § 2-807 (d).

8/31/07  
Date

John D. Marshall, Jr.  
John D. Marshall, Jr., Chair

BEFORE THE CITY OF ATLANTA  
BOARD OF ETHICS

In the Matter of:

Reginald Rushin

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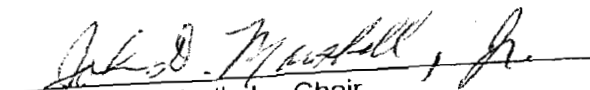
Case No. 07-FD-022

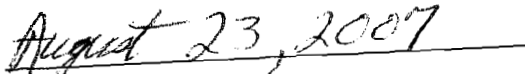
**Public Reprimand**

You have an obligation under section 2-814 of the Standards of Conduct in the Code of Ordinances to file an annual disclosure of your financial interests each year that you serve the City as an NPU officer and in the year after you leave city service. This disclosure enables the public to review your assets and income sources for actual and potential conflicts of interest.

The city's records show that you are serving as an NPU officer and are required to file an annual disclosure statement this year. The Board of Ethics finds that you have violated the law by failing to file your 2007 City Financial Disclosure Statement by the filing deadline and by intentionally refusing to pay the fine owed for filing late. Because you have intentionally violated the Code of Ethics, the Board reprimands you for your failure to perform your duties as a city official as required by law.

Issued by the City of Atlanta Board of Ethics

  
John D. Marshall, Jr., Chair

  
Date